

REMARKS

Reconsideration of this application as amended is respectfully requested.

In the final Office Action claims 1-7, 12-21, 23-28, and 31-46 were pending and rejected. A response was filed and an advisory action was issued. In the advisory action, the Examiner stated that the response did not put the present application in condition of allowance. The advisory action did not indicate whether the amendment was entered and did not provide reasons rejecting the arguments in the response. Applicant hereby assumes that the response was not entered.

In this response (RCE), no claim has been canceled. Claim 12 has been amended. No new matter has been added.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph. Accordingly, claim 12 has been amended to overcome the rejection.

Claims 1-7, 21, 23-25, and 31-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,167,446 of Lister ("Lister") in view of U.S. Patent No. 6,021,429 of Danknick ("Danknick") and U.S. Patent No. 5,828,830 of Rangaraian et al. ("Rangaraian"). Claims 12-20, 26-28, and 38-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lister in view of Rangaraian.

It is respectfully submitted that the present invention as claimed includes limitations that are not disclosed or suggested by the cited references, individually or in combination.

Specifically, independent claim 1 recites as follows:

1. A method for providing dynamic configuration services comprising:
requesting, with a local device, configuration services from a remote device
coupled to the network in response to connecting the local device to the
network;

operating the local device as a configuration services server to provide configuration services to one or more remote devices of said network if the response to said configuration information request is not received by the local device from said remote device within a predetermined period of time or if the response to said configuration information request is received by the local device from said remote device within the predetermined period of time and the response indicates that the local device has a higher priority than the remote device; and operating the local device as a configuration services client to receive configuration services from said remote device with the local device as a client device if the response is received within the predetermined period of time and said remote device has a higher priority than said local device.

(Emphasis added)

Independent claim 1 includes a local device that operates as a configuration services server to provide configuration services to other remote devices, if a request for configuration services from a remote device is not received within a predetermined period of time, or alternatively, if the response of the request indicates that the local device has a higher priority than the remote device. Otherwise, the local device operates as a client to the remote device to receive configuration services from the remote device. It is respectfully submitted that the above limitations are absent from the cited references, individually or in combination.

Rather, Lister relates to a proxy file cache for providing names for a file server. The proxy file cache stores a portion of the file or files of the file server and responds to a request to access the file server (Lister, Summary, col. 3, line 39 to col. 4, line 67). That is, the proxy file cache serves as a cache for the file server. It is respectfully submitted that Lister fails to disclose or suggest a local device that can serve as a client of configuration server to receive configuration services from the configuration server, or alternatively, serve as a configuration server to provide configuration services to other clients under certain circumstances.

In the Office Action, the Examiner stated:

“Regarding claim 1, Lister teaches a method for providing dynamic configuration comprising requesting, with a local device, configuration services from a remote device coupled to the network in response to connecting the local device to the network, providing configuration services to one or more remote devices of the network if the response to the configuration information request is not received by the local device from the remote device within a predetermined period of time or if the response to said configuration information request is received by the local device from said remote device within the predetermined period of time, and receiving configuration services from said remote device with the local device as a client device (i.e., providing automatic configuration and establishing and monitoring connections of clients to the server through the network) [see Abstract and Fig. 1, and Col. 3, Line 39 – Col. 4, Line 67].”

(11/6/2003 Office Action, page 6, emphasis added)

Applicant respectfully disagrees. It is respectfully submitted that the section of Lister relied upon by the Examiner does not read on the limitations recited in claim 1. The proxy file cache in Lister serves as a cache for the file server. There is no mention in Lister that a local device becomes a configuration server when a response to a request for configuration services is not received from a configuration server within a predetermined period of time, or alternatively, if the priority of the local device is higher than the configuration server.

It is respectfully submitted that the proxy file cache of Lister does not read on the local device that becomes a server as recited in claim 1 of the present application. Rather, the proxy file cache serves only the cache or the proxy for the file server. The proxy file cache of Lister does not take over the file server as a file server. One with reasonable skill in the art would only consider the proxy file cache as an extension of the file server, just like the cache memory of a memory drive. There is no mention or suggestion in Lister that the proxy file cache becomes a server (e.g., file server) when a response to a request to the file server is not received within a predetermined period of time, or when the priority of the proxy file cache is higher than the file server.

After all, there is no need or motivation for the proxy file cache in Lister to send a request to the file server for configuration services and take over the file server if the response is not received within a predetermined period of time. As a cache, the proxy file cache can only store portions of the files stored in the file server for fast retrieval. The proxy file cache is meaningless if the file server is not operating.

In addition, as acknowledged by the Examiner, Lister does not explicitly teach operating the local device as a configuration services server to provide configuration services and operating the local device as a configuration service client to receive configuration services. However, the Examiner maintains that “the use of operating as a list manager to maintain a list of device addresses and operating as a slave to provide a device address is well-known in the art as disclosed by Danknick [see Abstract and Fig. 5B and Col. 1, Line 41 – Col. 2, Lines 41]” (See, 11/6/2003 Office Action, pages 7).

Applicant respectfully disagrees. Danknick relates to a network device as a slave to a list manager that is dedicated to provide a list of addresses (e.g., IP addresses) of all network devices in the network, rather than maintaining a full address server (see, col. 1, lines 30 to 67 of Danknick). However, the network device does not provide configuration services to the workstations (e.g., clients) in the network. The only purpose of the network device of Danknick is to provide an address of a network device to a client when the client wishes to access to that network device. For example, the network device of Danknick provides an IP address of a printer to a client when the client wishes to access the printer (e.g., printing a document). In the case that the list manager is down, the network device (which serves as a slave) provides address list to the clients and updates the list manager when it is back up (see, col. 2, lines 24 to 42).

It is respectfully submitted that there is no configuration services provided from the slave network device to the clients in Danknick, such as, for example, assigning IP addresses (as a DHCP server) or provide DNS services (as a DNS server) to the clients, as recited in certain dependent claims of the present application. Specifically, there is no mention or suggestion in Danknick that the slave network device receives (as a client) the configuration services from the list manager when the priority of the list manager is higher than the slave device and, otherwise, that the slave device takes over the list manager.

Even if, for the sake of argument, the slave device takes over the list manager, the slave device still does not provide configuration services to the clients in Danknick, particularly, when a response of a request for configuration services is not received within a predetermined period of time, or alternatively, if the priority of the slave device is higher than the list manager. As a slave device, one with ordinary skill in the art would not consider the slave device of Danknick has a higher priority than the list manager and nowhere does Danknick suggest that.

Further, the slave device does not serve as a client to the list manager to receive configuration services from the list manager. Rather, the slave device of Danknick provides address services to the client when the list manager is not available and updates (e.g., provide) the list manager when the list manager is back up (see, col. 2, lines 24 to 42).

In the Office Action, the Examiner further stated:

“Lister does not explicitly teach providing the configuration services, with the local device, to one or more remote devices of the network if the local device has a higher priority than the remote device. However, the task of comparing the priority between one device to another is well-known in the art as disclosed by Rangaraian [see Abstract].”

(11/6/2003 Office Action, emphasis added)

Applicant respectfully disagrees. Rangaraian relates to network managements that monitor the network traffic by trapping the packets traveling through the network. Rangaraian

prioritizes the network traffic in order to reduce the number of packets trapped to a reasonable and manageable number (see, Abstract and Summary). The priorities of Rangaraian have nothing to do with whether a network device should serve as a client or a server.

Furthermore, there is no suggestion within the cited references to combine Lister, Danknick, and Rangaraian. Lister relates to name services for the file server, while Danknick relates to address services and Rangaraian relates to network monitoring or trapping. They solve significantly different problems and their approaches are significantly different. For example, Lister does not need the address services of Danknick and the network trapping services of Rangaraian. The proxy file cache of Lister only provides a portion of files to the client without having to access the file server again, which typically takes longer time. There is no address service involved and obviously no network traffic trapping needed because all traffic to the file server has to go through the proxy (e.g., the proxy file cache). Thus, there is no motivation to combine these references. One with ordinary skill in the art would not combine these references because such a combination lacks reasonable expectation of success, since they are solving significantly different problems and their approaches are significantly different.

Even if they were combined, it is respectfully submitted that such a combination still lacks the limitations set forth above. Therefore, for the reasons discussed above, independent claim 1 is patentable over the cited references.

Similarly, independent claims 12, 21, 26, 31, and 38 include limitations similar to those recited in claim 1. Thus, for the reasons similar to those discussed above, claims 12, 21, 26, 31, and 38 are patentable over the cited references.

Given that claims 2-7, 13-20, 23-25, 27-28, 32-37, and 39-46 depend from one of the above independent claims, for at least the reasons similar to those discussed above, it is

respectfully submitted that claims 2-7, 13-20, 23-25, 27-28, 32-37, and 39-46 are also patentable over the cited references. Withdrawal of the rejections is respectfully submitted.

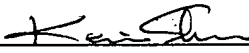
In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 4/6, 2004



Kevin G. Shao
Attorney for Applicant
Reg. No. 45,095

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8300